

**EMERGENCY ORDINANCE TO IMPOSE A MORATORIUM ON
BILLBOARD SIGNS**

CITY OF WOODSTOCK, GEORGIA

WHEREAS, the City of Woodstock (hereinafter sometimes referred to as the "City") is a municipality duly formed and existing pursuant to Georgia law; and

WHEREAS, the 1983 Constitution of the State of Georgia provides for the self government of municipalities without the necessity of action by the General Assembly;¹ and

WHEREAS, the City of Woodstock, Georgia, has the legislative power to adopt clearly reasonable ordinances, resolutions or regulations relating to its property, affairs and local government for which no provision has been made by general laws, and which are not inconsistent with the Constitution or any charter provision applicable thereto;² and

1 Ga. Const., 1983, Article IX, Section II, Paragraph II provides in pertinent part as follows:

The General Assembly may provide by law for the self government of municipalities and to that end is expressly given the authority to delegate its power so that matters pertaining to the municipalities may be dealt with without the necessity of action by the General Assembly.

2 O.C.G.A. '36-35-3(a) provides as follows:

(a) The governing authority of each municipal corporation shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law and which are not inconsistent with the Constitution or any charter provision applicable thereto. Any such charter provision shall remain in force and effect until amended or repealed as provided in subsection (b) of this Code section. This Code section, however, shall not restrict the authority of the General Assembly, by general law, to define this home rule power further or to broaden, limit, or otherwise regulate the exercise thereof. The General Assembly shall not pass any local law to repeal, modify or supersede any action taken by a municipal governing authority under this Code section, except as authorized under Code Section 36-35-6.

WHEREAS, the Interstate 575 Corridor is a scenic route, the gateway into the mountains of North Georgia; and

WHEREAS, the Interstate 575 Corridor is a principal arterial through the City of Woodstock and Cherokee County, providing passage for commuters, tourists, residents, and commercial users, generating in excess of 85,000 traffic counts per day; and

WHEREAS, the Mayor and City Council recognize the critical importance of the Interstate 575 Corridor as an efficient transportation facility and vital to the local and state economy; and

WHEREAS, the Mayor and City Council recognize the First Amendment and private property rights of property owners seeking to erect Billboards and Outdoor Advertising Signs within the City of Woodstock and Interstate 575 Corridor; and

WHEREAS, the Mayor and City Council recognize and seek to balance the First Amendment rights and commercial interests of private property owners seeking to erect Billboard Signs and Outdoor Advertising Signs, with the scenic beauty, natural resources, livability, and economic potential of the City of Woodstock and this vital corridor; and

WHEREAS, Chapter XXI of the Land Development Ordinance of the City of Woodstock provides for Billboard Sign Standards; and

WHEREAS, it is the purpose of this Emergency Ordinance to provide the opportunity for Mayor and City Council to direct City staff to thoroughly review current Billboard Sign Standards to ensure that private interests are well balanced with public interests; and

WHEREAS, the governing body of the City has determined that it is in the best interest of the City and its citizens to adopt the following; and

WHEREAS, an emergency exists as to the lack of concise controls over the regulation of Billboard Signs and;

WHEREAS, the Mayor and City Council of the City are concerned that the life, safety and well being of the citizens of the City could be negatively impacted thereby; and


NOW THEREFORE, the Mayor and the City Council of the City of Woodstock hereby ordain that a temporary moratorium is imposed on the acceptance of any Billboard Sign applications. No Billboard Sign permits shall be issued and no Billboard Sign applications, plans, proposals, fee payments, or attachments shall be accepted by the staff of the City for review from this date forth until December 23, 2016. It is anticipated that this moratorium shall last until December 23, 2016, but it is subject to change by the Mayor and City Council. During the time this moratorium is in place the City staff is hereby directed to review the City's Billboard Signs Standards and propose appropriate revisions thereto.

This Emergency Ordinance to Impose a Moratorium on new Billboard Signs and the acceptance of Billboard Sign applications is effective immediately and shall remain in force until December 23, 2016.

This 26 day of September, 2016.

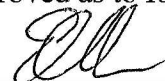


RHONDA L. PEZZELLO, CLERK
CITY OF WOODSTOCK



DONNIE HENRIQUES, MAYOR
CITY OF WOODSTOCK, GEORGIA

Approved as to form:



ELDON L. BASHAM
CITY ATTORNEY

DATE ADOPTED: 9/26/16, effective 9/26/16.

For Second Reading and Re-adoption October 10, 2016